

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LINDA MIGLIORI, FRANCIS J. FOX,)	
RICHARD E. RICHARDS, KENNETH)	
RINGER, and SERGIO RIVAS,)	
)	
Plaintiffs,)	No. 5:22-cv-00397-JFL
)	
and)	
)	
ZACHARY COHEN,)	
)	
Intervenor-Plaintiff,)	
)	
v.)	
)	
LEHIGH COUNTY BOARD OF)	
ELECTIONS,)	
)	
Defendants,)	
)	
and)	
)	
DAVID RITTER,)	
Intervenor-Defendant.)	
_____)	

**DECLARATION OF MARIAN K. SCHNEIDER
IN SUPPORT OF PETITION FOR AWARD OF ATTORNEYS' FEES**

I, Marian K. Schneider, am one of the attorneys of record for the plaintiffs in the above-captioned case. I make the following declaration upon my personal knowledge:

1. This declaration is submitted in support of Plaintiffs' Petition for Attorney's Fees.
2. I am a Senior Voting Rights Policy Counsel with the ACLU of Pennsylvania, where I have worked as an attorney since 2021.

3. I have litigated several high-impact voting rights cases in Pennsylvania, have been active in the national voting rights policy space, and have served on numerous committees including the National Task Force on Election Crises in 2020.
4. From 2015 to 2017, I served as the Deputy Secretary for Elections and Administration at the Pennsylvania Department of State. I also was appointed Special Advisor on Election Policy to Governor Tom Wolf.
5. I earned my J.D. from The George Washington University Law School in 1987, and a B.A. from the University of Pennsylvania.
6. I have practiced law almost continuously from graduation in a variety of settings including large, mid-size and small private law firms. I have experience as a litigator in commercial matters, such as insurance coverage, and in federal employment discrimination law. From 2011-2014, I was a staff attorney for Advancement Project, a national civil rights and racial justice non-profit and I served as their Pennsylvania voting rights attorney. Since 2006, my law practice has primarily focused on election law and voting rights.
7. I certify that the attached time sheets, which are incorporated by reference, were prepared contemporaneously and maintained in the ordinary course of business.
8. The hours we have billed in this case are fair and reasonable and were necessarily incurred in the successful prosecution of this case.
9. Only the time spent on this case that could reasonably be billed to a private client has been included.

10. Based on my experience and standing in the bar, I believe that the requested rate of \$750 per hour is fair and reflects the prevailing community rate for civil rights lawyers of comparable skill and experience.
11. I am currently admitted to practice in Pennsylvania and the District of Columbia. I am admitted to practice in the following federal courts: U.S. District Court for the Eastern District of Pennsylvania (1990); U.S. District Court for the Middle District of Pennsylvania (2020); U.S. Courts of Appeals for the Third Circuit (2020); U.S. Supreme Court (1994).
12. I am a salaried employee of the ACLU of Pennsylvania, a nonprofit, nonpartisan organization dedicated to defending and protecting our individual rights and personal freedoms. We do not charge our clients, and have not done so in this case. Consequently, I am subject to the “community market rate rule” for determining my fee rate.
13. My hourly rate of \$750 per hour reflects the community market rate for attorneys of comparable skill and experience. This rate is based on knowledge of rates charged by partners at law firms in Philadelphia with similar levels of experience and educational backgrounds.
14. My total billable hours for the U.S. District Court proceedings in this case are 92.75. The total amount (lodestar), as calculated by multiplying the hours times the prevailing billing rate of \$750, is \$69,562.50.

15. For the foregoing reasons, I believe that my requested hourly rate of \$750 is fair, reasonable, and well within the scope of rates given to federal court litigators with similar experience, skill, and standing in the Philadelphia legal community.

I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in blue ink, reading "Marian K. Schneider". The signature is written in a cursive style with a horizontal line underneath the name.

Marian K. Schneider

November 10, 2022

Migliori v. Lehigh County Board of Elections - Marian K. Schneider Attorney Time - E.D. Pa.
Hourly Rate = \$750

Date	Description	Time	Amount
1/27/2022	emails to ACLU team about Supreme Court of Pennsylvania denying review	1.00	\$ 750.00
1/28/2022	Various emails re next steps	1.00	\$ 750.00
1/28/2022	Brainstorming meeting for TRO	2.00	\$ 1,500.00
1/28/2022	Plaintiff research; contact with orgs in Lehigh County	2.00	\$ 1,500.00
1/29/2022	Meeting with ACLU-PA team to discuss strategy, voter outreach drafting	1.00	\$ 750.00
1/29/2022	Research and outreach in preparation for filing complaint	4.00	\$ 3,000.00
1/29/2022	Draft script for cold calls; draft affidavits	1.25	\$ 937.50
1/29/2022	Email correspondence with ACLU-PA team re complaint preparation	1.00	\$ 750.00
1/30/2022	Edit and draft complaint, draft verifications, phone calls disenfranchised voters ; write notes of conversations	11.00	\$ 8,250.00
1/31/2022	Email correspondence with legal team	0.50	\$ 375.00
1/31/2022	Review drafts for finalizing	2.00	\$ 1,500.00
1/31/2022	Meetings with ACLU-PA legal team on lawsuit	1.00	\$ 750.00
1/31/2022	Attend initial scheduling call with judge	0.50	\$ 375.00
1/31/2022	Legal research and analysis	3.50	\$ 2,625.00
2/1/2022	Strategy meeting and email correspondence	1.50	\$ 1,125.00
2/4/2022	Follow up call with opposing counsel	0.50	\$ 375.00
2/7/2022	Check in status call	0.50	\$ 375.00
2/7/2022	Draft portions of stipulated facts	0.75	\$ 562.50
2/7/2022	Phone call with Adam Bonin and Steve Loney	0.50	\$ 375.00
2/7/2022	Edit stipulated facts	0.50	\$ 375.00
2/7/2022	Draft bullets for Plaintiffs	0.75	\$ 562.50
2/7/2022	REview stipulated facts and other documents related to case	1.00	\$ 750.00
2/8/2022	Draft plaintiff paragraphs	1.50	\$ 1,125.00
2/9/2022	Review draft stipulated facts	0.50	\$ 375.00
2/9/2022	Review draft motion for summary judgment	1.75	\$ 1,312.50
2/9/2022	Various email correspondence to ACLU-PA team and others; draft	1.50	\$ 1,125.00
2/10/2022	Review MSJ draft	2.00	\$ 1,500.00
2/11/2022	Review brief and proposed order	2.00	\$ 1,500.00

Date	Description	Time	Amount
2/11/2022	Review and respond to emails re:preparation of motion for summary judgment	2.00	\$ 1,500.00
2/15/2022	Strategy call with legal team	0.50	\$ 375.00
2/18/2022	research case law on private right of action; Draft Private Right of Action section of opposition brief	11.00	\$ 8,250.00
2/19/2022	Review and edit draft opposition to MSJ	5.00	\$ 3,750.00
2/20/2022	Review and edit draft oppositon to motion for summary judgment	2.00	\$ 1,500.00
2/21/2022	Review and edit draft opposition to MSJ	1.00	\$ 750.00
2/22/2022	Draft and edit opposition; review opponents MSJ brief	5.00	\$ 3,750.00
2/23/2022	Strategy call with legal team	0.75	\$ 562.50
2/23/2022	Research and Draft rebuttal to hypos in opposition brief	5.00	\$ 3,750.00
2/24/2022	Revise and rewrite rebuttals to hypos in opposition brief	3.50	\$ 2,625.00
2/25/2022	Strategy call with legal team	1.00	\$ 750.00
2/25/2022	Review and edit draft opposition to Ritter's MSJ	3.50	\$ 2,625.00
3/15/2022	Review District Court Opinion	1.00	\$ 750.00
3/17/2022	Review and edit draft motion for Stay in ED PA	2.50	\$ 1,875.00
3/18/2022	Strategy call	0.50	\$ 375.00
3/18/2022	Review and edit Third Circuit motion for stay; research law	1.50	\$ 1,125.00
	TOTAL	92.75	\$ 69,562.50